

1 right there.

2 (Applause.)

3 COMMISSIONER ADELSTEIN: His family
4 has been here over a century. He gave this paper
5 -- His paper gave this story the coverage that it
6 deserved every single day of this truncated
7 advance notice period, and we thank him for it.
8 And Jonathan Lawson from Reclaim the Media --

9 (Applause.)

10 COMMISSIONER ADELSTEIN: Thank you
11 both.

12 Now, people, a lot of you came from
13 far away. I know that we have a bunch here from
14 Portland and Woodburn, all across Oregon.
15 Oregon, are you here tonight?

16 (Applause.)

17 COMMISSIONER ADELSTEIN: We've got
18 people from Montana, we have people from Idaho,
19 and there'd be a heck of a lot more if they'd
20 been given time to get out here.

21 Now, if we let voices like Frank
22 Blethen's get bought out by voracious media

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1 giants looking to swallow up even more local
2 outlets, voices like yours will be snuffed out
3 forever. This is just what big media wants.

4 Is that when you want?

5 AUDIENCE: No.

6 COMMISSIONER ADELSTEIN: Do you want
7 big out of state companies to buy your newspapers
8 and TV stations combined?

9 AUDIENCE: No.

10 COMMISSIONER ADELSTEIN: Are you
11 satisfied with the local media here today?

12 AUDIENCE: No.

13 COMMISSIONER ADELSTEIN: Do you think
14 even more consolidation is the answer?

15 AUDIENCE: No.

16 COMMISSIONER ADELSTEIN: Well, we
17 should listen to you rather than the media
18 lobbyists in Washington who ply our halls every
19 day.

20 (Applause.)

21 COMMISSIONER ADELSTEIN: The law says
22 that we are to serve the public interests, not

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1 the interests of the media giants who seek to
2 profit by using the public airwaves.

3 (Applause.)

4 COMMISSIONER ADELSTEIN: Now out here
5 in the real Washington, the other Washington,
6 where people get it, you've suffered too much
7 already from the effects of media consolidation.
8 It seems like a simple concept that public
9 officials represent the public interests, but in
10 Washington that's fuzzy math. We've forgotten
11 that the public airwaves belong to the American
12 people, and you're here tonight because you want
13 to take them back.

14 (Applause.)

15 COMMISSIONER ADELSTEIN: As
16 Commissioner Copps said, you know, we were here.
17 We've held two public meetings already in
18 Seattle. I see a lot of old friends from those
19 meetings here today -- Bill Forums from the
20 Seattle Public Library UW. And I heard some of
21 the most insightful comments I've ever heard
22 anywhere in the country. You folks get it. You

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1 communicate your concern with eloquence, passion.

2 Now, tonight's meeting, as you know,
3 was scheduled literally at the very last minute
4 allowed by law. It's more than a coincidence
5 that the very same last minute announcement was
6 made at the recent hearing we held in Washington
7 on localism. This pattern points to a conscious
8 effort to minimize turnout and just check the box
9 that these hearings were held. The goal it to
10 let big media have their way and you're just a
11 little speed bump along the way to concentration.
12 Well, I don't see you as a speed bump. I don't
13 see you as an obstacle. I see you as the reason
14 that we are here, the reason that we do our jobs.
15 You represent the people we're supposed to serve.

16 (Applause.)

17 COMMISSIONER ADELSTEIN: I see your
18 interests and your community's needs as the end
19 goal in themselves. Unfortunately, judging from
20 the way this hearing was arranged, it looks like
21 the media conglomerates' agenda is far ahead of
22 yours at the FCC.

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1 Now, if you see a proposal for more
2 consolidation made quickly after this final
3 hearing, you'll know your input was dismissed,
4 but those of you who made it out here tonight to
5 this great hall and filled this room up are not
6 about to let that happen, and your views need to
7 be accounted for and included in any proposal and
8 any decision that we make.

9 (Applause.)

10 COMMISSIONER ADELSTEIN: You deserve
11 good quality local music on your media. You
12 deserve good news and public affairs and
13 information. I love the music that comes out of
14 Washington state as an amateur musician myself.
15 You have all these great musicians that have had
16 so much trouble over the years getting --
17 recently getting their music played on the
18 airwaves during times when people are actually
19 listening. Well, Scott Townsend tells us that
20 well Seattle is a huge force in national music
21 because of consolidation. Even the most
22 successful local artists are having trouble

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1 getting heard on the airwaves. And that's how
2 all those great bands got started here. All the
3 grunge music has changed the way Americans listen
4 to music started right here and got plenty of
5 local radio. But today these great artists, even
6 the ones that are making it nationally, can't
7 even get heard like they used to on local radio.

8 And minority communities deserve to be
9 portrayed on the evening news in a manner that
10 reflects their many contributions in this
11 community, not underrepresented, not
12 misrepresented, not --

13 (Applause.)

14 COMMISSIONER ADELSTEIN: Women and
15 people of color should be owners not just
16 consumers or leasers of media outlets. Women
17 make up over half of the U.S. population.
18 Minorities make up about a third, but woman and
19 people of color own broadcast stations at roughly
20 one tenth of their level of representation in the
21 overall population. Something is wrong with that
22 picture.

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1 Fewer and fewer media companies are
2 getting more and more means of distributing
3 ideas. That means fewer small businesses, fewer
4 women, fewer African-Americans, fewer Latinos,
5 fewer Asian-Americans, fewer Native Americans can
6 use the public airwaves to contribute and to have
7 their own unique voices heard. That's a tragedy,
8 and we've got to turn it around.

9 (Applause.)

10 COMMISSIONER ADELSTEIN: Now, as
11 you've heard tonight you have some great elected
12 representatives representing you both here in
13 Washington state and back in the other
14 Washington. Senator Maria Cantwell and
15 Congressman Jay Inslee wrote us to ask that you
16 be given four weeks notice of this event. That
17 was quickly ignored in an act of total
18 insensitivity.

19 Well, I know your representatives. We
20 just met with them, and I know their dedication
21 to serve your interests. Their request may have
22 been ignored, but they will not be.

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1 (Applause.)

2 COMMISSIONER ADELSTEIN: My request to
3 give your more notice may have been ignored, but
4 I will not be.

5 (Applause.)

6 COMMISSIONER ADELSTEIN: Your
7 community's right to fair notice may have been
8 ignored, but you will not be.

9 (Applause.)

10 COMMISSIONER ADELSTEIN: You're here
11 tonight because you won't let your voices be
12 swept under the rug as the FCC does the bidding
13 of the big media conglomerates.

14 Just yesterday at the U.S. Senate, a
15 bipartisan bill was introduced with Senators
16 Cantwell, Dorgan, Lott, Obama, Snowe and others,
17 a bipartisan bill that would require the FCC to
18 give 90 days notice for you to comment on any
19 proposed media ownership rule changes and to
20 conduct a separate proceeding on localism and
21 diversity with another 90 day comment period.
22 And it requires us, at last, which I've been

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1 calling for for so long, to establish an
2 independent panel on female and minority
3 ownership which reports back to the FCC with
4 recommendations and we have to act on them before
5 we vote on the media ownership rules.

6 (Applause.)

7 COMMISSIONER ADELSTEIN: You can join
8 in demanding that the FCC complete its localism
9 proceeding before and not after it moves on media
10 ownership, and you need to demand that we
11 properly study and support any changes we make
12 with facts this time, not ideology and pre-based
13 studies. It's high time we establish clear and
14 quantifiable public interest obligations to
15 broadcasters. We need to implement changes to
16 expand the number of media outlets owned by women
17 and people of color. And you can join me and
18 your leaders in Congress in demanding that all
19 these policies are implemented before and not
20 after we allow more media consolidation.

21 Those of you who came out here
22 tonight, made your schedules work for this,

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1 you're the ones who are representing so many
2 people. You have a big responsibility because
3 you're speaking for millions and millions of your
4 fellow citizens across the U.S. who believe that
5 media consolidation has already gone too far.

6 (Applause.)

7 COMMISSIONER ADELSTEIN: I'm not just
8 speaking from experience, and I've got plenty.
9 I've been to cities across this country and I've
10 heard from people everywhere. But there was a
11 recent survey done that said that 70 percent of
12 Americans see this as a problem, and by a two-to-
13 one margin they believe newspapers shouldn't own
14 TV stations in the same city.

15 (Applause.)

16 COMMISSIONER ADELSTEIN: What I found
17 interesting, but not surprising about this was it
18 turns out that the same proportion of Republicans
19 and Democrats, conservatives, moderates, and
20 liberals shared these concerns. That's reflected
21 I think in the bipartisan group of panelists and
22 elected officials joining us tonight. What an

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1 amazing bipartisan group we have of elected
2 officials across the spectrum that think we don't
3 need more media consolidation. Letting big media
4 get bigger is not a partisan issue. It goes
5 against the grain of the American spirit.

6 (Applause.)

7 COMMISSIONER ADELSTEIN: Now,
8 conservatives don't like media giants to gain too
9 much power anymore than the liberals do. I think
10 we all feel the same way about it, so there's no
11 reason that you should feel alone. You're in the
12 majority, not just in this room, but all across
13 this great country.

14 Now, if the majority of the FCC
15 opposes the majority of America in the name of
16 public interest, you will see a willful act of
17 arrogance that deserves to be struck down.

18 (Applause.)

19 COMMISSIONER ADELSTEIN: You'll see a
20 handful of unelected bureaucrats telling you we
21 know what's in your interest better than you know
22 yourself. They'll face a harsh judgment by your

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1 elected representatives on both sides of the
2 aisle in Congress with Washington state leading
3 the way.

4 (Applause.)

5 COMMISSIONER ADELSTEIN: If all else
6 fails and this isn't done right, I want you to
7 know that Congress has special fast track
8 procedures to veto any regulations put out by
9 agencies like the FCC.

10 (Applause.)

11 COMMISSIONER ADELSTEIN: As Senator
12 Cantwell said, back in the 2004 the Senate voted
13 on an overwhelming bipartisan majority to do just
14 that, but it got bottled up in the U.S. House.
15 But it's different in 2007.

16 (Applause.)

17 COMMISSIONER ADELSTEIN: If the FCC
18 sides with the powerful few media companies over
19 the public interest, Congress can quickly veto it
20 and should. Congress can send it to the depths
21 of its history where it belongs.

22 (Applause.)

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1 COMMISSIONER ADELSTEIN: And as you
2 heard tonight on those DVDs, it's your elected
3 representatives that are going to lead the
4 charge, so you the people have the last word and
5 here tonight the residents of the Pacific
6 Northwest have the last word.

7 So thanks for coming out. Now let's
8 hear it from you. Thank you so much for being
9 here.

10 (Applause.)

11 CHAIRMAN MARTIN: Commissioner
12 McDowell.

13 COMMISSIONER McDOWELL: Thank you,
14 Chairman.

15 AUDIENCE: We can't hear you.

16 COMMISSIONER McDOWELL: Well, you
17 didn't have much notice. You've waited long
18 enough to be heard. You didn't come here to
19 listen to me tonight. I want to hear you from
20 you, the great people of the great city of the
21 Seattle, the wonderful panels we've put together.
22 The longer I talk, the less time it is for you.

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1 So I'm going to ask that my statement be
2 submitted in the record, and I'm going to sit
3 down and listen.

4 Thank you.

5 (Applause.)

6 CHAIRMAN MARTIN: I'll be brief as
7 well. And I wasn't, I wasn't planning on making
8 very many remarks at all. But I thought that I
9 should respond to a few of the things and little
10 bit of the rhetoric that has been used tonight.

11 At the Commission the rhetoric is
12 oftentimes easy, but the decision making is much
13 harder. Many of the complaints and concerns that
14 you all have or that the other Commissioners have
15 about some of the media ownership rules really go
16 back to what Congress did when they passed the
17 law in 1996 that changed those media ownership
18 rules.

19 The concerns you have about radio
20 consolidation that Jonathan Adelstein mentioned
21 are a result of a Congressional change and a law
22 that was passed that said that the ownership caps

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1 should end up being eliminated, and they're not
2 anything that the commission has the authority to
3 end up changing, because when Congress passes a
4 law and tells you to do something, we actually
5 implement that. And if Congress passes a
6 different law, we'll also implement that.

7 As a part of that law we're also
8 required to conduct a media ownership proceeding
9 and determine whether or not the laws are still
10 necessary and to take into account how the media
11 landscape has changed and how there are new
12 voices out there for people to begin
13 opportunities to get news and information.

14 And I think just as we have a
15 responsibility to try and listen to you, we do
16 have a responsibility to end up implementing what
17 Congress tells us to do. If Congress tells us to
18 do something different, we'll do that as well.

19 In the meantime, though, we do have an
20 obligation to complete the proceeding that we
21 have in front of us. We have had a series of
22 hearings throughout the country where we've heard

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1 from lots of folks just like you who are
2 concerned about the media landscape today, and
3 we've done a significant number of studies to try
4 and determine what we should do going forward.

5 And I think that the -- some of the
6 rhetoric that talks about whether we should be
7 allowing more TV stations to be owned by
8 individuals or radio to be owned by individuals
9 is, is not as reflective of where some of the
10 Commissioners know we're going. I think the most
11 significant rule that's currently being debated
12 is one that was put in place back in the 1970s
13 that said a newspaper is not allowed to own a
14 single broadcast station in any market in the
15 country.

16 (Applause.)

17 CHAIRMAN MARTIN: What that means is
18 that -- The current rule says it doesn't matter
19 if you're talking about New York City, the
20 largest market in the country or the smallest,
21 the newspaper's owners will not be able to own a
22 single radio station.

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1 (Applause.)

2 CHAIRMAN MARTIN: Despite the fact
3 that under the current rules without us making
4 any changes whatsoever in those same markets one
5 person can own two TV stations, numerous radio
6 stations, and the cable system.

7 What I'm saying to you is if you don't
8 like those rule -- No. A lot of those were
9 actually put in the law that was passed, and it's
10 not actually up to us just to fix it, and so
11 we're not able to end up doing it. And what we
12 are faced with is trying to say how do we make it
13 fair for all the people that are involved.

14 You know, let me say before I get back
15 to the issue on newspaper broadcast cross-
16 ownership, let me say -- you're asking why the
17 rush and why no notice?

18 (Applause.)

19 CHAIRMAN MARTIN: Throughout this
20 process, throughout the process I've been as
21 transparent as I could be.

22 And it's not just some of it, some --

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1 It includes some of the Commissioners who spoke
2 earlier who understand how to play four corners
3 defense. The -- I actually proposed in September
4 to all the Commissioners -- and both Democratic
5 commissioners know this -- a one-page public
6 notice that announced the dates of the media
7 ownership we would have in -- on localism in
8 Washington in October. It had the date that we
9 would go forward and have this media ownership
10 hearing in Seattle. It had the date that I would
11 actually put out the rules and it had the date of
12 the open meeting that we would vote on. I put it
13 out in September. And the reason it didn't come
14 out is that the two Democratic Commissioners
15 wouldn't vote.

16 (Unintelligible comments from the
17 audience.)

18 CHAIRMAN MARTIN: No. I'm not done.
19 No, I'm not quite done. I'll sit down in a
20 second, and you'll have your chance tonight.

21 So it's not just -- When you talk
22 about a process, it's not just any one person's

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1 fault for why that notice wasn't provided. It
2 was -- All the commissioners had that opportunity
3 to make sure that everyone had notice.

4 That is the truth.

5 And on the newspaper, on the
6 newspaper-broadcast cross-ownership rules, Frank
7 Blethen has been the most vocal proponent in the
8 country of saying that newspapers -- that the
9 current rules should stay in place, that
10 newspapers shouldn't be able to own anything
11 else. I think you have to put that in the
12 context of almost every other newspaper publisher
13 in the country is having cutbacks in their
14 newsrooms and they're saying that those are going
15 to continue unless they're able to diversify some
16 of their media coverage, put the cost out over
17 other --

18 We'll listen closely certainly to
19 Frank Blethen, but we will listen to everyone
20 that comes forward and whatever evidence they end
21 up providing. And we'll also listen to you. I
22 told you I would be brief and let you all have

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1 the opportunity to talk to us tonight, and so
2 we'll start with the public comments as soon as
3 we finish with the first panel.

4 (Applause.)

5 MODERATOR SIGALOS: I think Dr. Emmert
6 from the University has shown up now, so if he
7 would like to come forward and make any opening
8 remarks, we welcome him.

9 MR. EMMERT: Thank you very much. I
10 apologize for being tardy. And I certainly
11 appreciate the opportunity to make some brief
12 comments to the Commissioners, and I also very
13 much appreciate the fact that you're here in
14 Seattle allowing all of our residents from
15 Seattle and Washington to speak before you on
16 this terribly important issue. And I'll try and
17 be brief as well.

18 I'm Mark Emmert. I'm the President of
19 the University of Washington. What I am not is
20 I'm not an expert of any of the issues that you
21 are debating tonight when it comes to
22 consolidation of the media, the economics of the

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1 media, whether or not there should be cross-
2 ownership of different media types. I don't know
3 those things at all.

4 What I know is education. I've been
5 either a student, a professor, or an
6 administrator in the university system since I
7 was five, I guess. And I know a great deal about
8 running universities and research intensive
9 universities and the kind of dynamics and
10 communication processes that are necessary to
11 allow young people and sometimes not so young
12 people to engage in the kind of educational
13 experience that the founders of this nation
14 believed were utterly essential to have a
15 democracy.

16 (Applause.)

17 MR. EMMERT: And I know that a
18 university is really premised on two very simple
19 notions: That is the notion that we explore and
20 understand and develop new ways of understanding
21 the world around us and explaining that world,
22 and then we transmit that to the world beyond the

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1 ivy walls of the institution. Those two simple
2 functions are utterly dependent upon the free
3 flow of ideas, the diversity of opinions that are
4 made available to us, and the capacity to speak
5 truth whenever it arises.

6 (Applause.)

7 MR. EMMERT: Those same principles in
8 my opinion are equally essential to the way we
9 conduct ourselves when it comes to our media.
10 When we think about young people coming to my
11 university who have only had exposure to
12 homogenized news and information, single points
13 of view, very limited exposure to a diversity of
14 opinions and ideas, the probability that those
15 students will be able to challenge and question
16 and raise issues with faculty or fellow students
17 diminishes dramatically; in fact, it falls --

18 (Applause.)

19 MR. EMMERT: I have, I have also had
20 the experience of visiting nation states where
21 the free flow of ideas in the media is not
22 allowed. And there are many wonderful bright

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1 students in those countries, but they are utterly
2 incapable of creative thought. They are
3 incapable of questioning authority. They are
4 incapable of asking the kinds of deep questions
5 that are essential to a liberal education and to
6 innovation and to conducting good science and to
7 advance in a society, and certainly incapable of
8 practicing democracy.

9 So my only caveat, my only point that
10 I really want to make to all of you -- you have a
11 panel of real experts here who know what they're
12 talking about -- is to make sure that whatever we
13 do with our system that governs the media in our
14 nation that it's one that promotes a diversity of
15 views, that promotes a free exchange of ideas,
16 and that avoids in all ways that we can a
17 homogenization of our news and our ideas and the
18 thoughts that come forth to our society and our
19 citizens.

20 Thank you very much for your time, I
21 appreciate you being here.

22 (Applause.)

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1 CHAIRMAN MARTIN: At this point, we'll
2 turn it over to Louis Sigalos, who is going to be
3 our moderator for this evening. We'll go through
4 our first panel and then open it up to public
5 comment.

6 On occasion the commissioners may end
7 up -- An individual commissioner may go the
8 restroom or go get something to eat or drink.
9 We're going to try to push through to give as
10 many people an opportunity as possible to comment
11 tonight. So if any one commissioner is gone,
12 that's the reason why, and they'll be right back.

13 COMMISSIONER COPPS: Mr. Chairman, I
14 just had two requests to enter things into the
15 record here. We have a very good and eloquent
16 letter from Piedmont Rightbauer from the
17 Metropolitan King County Counsel, which of course
18 I would like to submit for the record, and an
19 equally eloquent statement from Ellison Floyd,
20 President of Washington State University.

21 CHAIRMAN MARTIN: Louis.

22 MODERATOR SIGALOS: Thank you, Mr.

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1 Chairman and commissioners.

2 As we move to our first panel
3 decision, I'd like to review the ground rules
4 very briefly. Panelists, each of you will have 5
5 minutes to make your remarks. I will be strictly
6 enforcing this time limit in order to ensure that
7 we leave as much time as possible for the public
8 comment period. Therefore, when the clock on that
9 stage right there goes to zero, I will thank you
10 and introduce the next speaker.

11 Members of the audience, please,
12 please listen respectfully to the panelist even
13 if you disagree with the views that they express.

14 (Applause.)

15 MODERATOR SIGALOS: We are all well
16 aware that the issues we're discussing today
17 arouse a lot of passion, but for this hearing to
18 run smoothly and be successful, we need to
19 maintain basic decorum and avoid unnecessary
20 interruptions. And I thank you for that.

21 Participating in this panel are Ray
22 Heacox, General Manager, King Broadcasting

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